

RHODE ISLAND DIVISION OF MOTOR VEHICLES

100 MAIN STREET

PAWTUCKET, RI 02860

RHODE ISLAND DEALERS' LICENSE & REGULATIONS OFFICE

Tel. # 462-5733,5734 / Fax # 462-5718

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATION

INTER-OFFICE MEMO

October 1, 2008

TO: Gary Sasse, Director

DEPT: Department of Revenue

FROM: Walter Craddock, Esq. Chairman

DEPT: Division of Motor Vehicles

SUBJECT: HEARING BOARD RESULTS

Please be advised of the following matters which were heard before the Board on Thursday, September 25, 2008. Also be advised the following people were present during the hearing: Joseph I. Monteiro, Chief, Enforcement/ Regulations and Marcy Coleman, Esq., Division of Legal Services and the hearing Board members: Walter Craddock, Esq., Dennis Gerstmeyer and James Botvin.

Absent: Thomas Ricci

Cpl. David Doucet of the Rhode Island State Police.

**MEETING OF SEPTEMBER 25, 2008 AT 9:00 AM
DIVISION OF MOTOR VEHICLES – 100 MAIN ST. PAWTUCKET, RI
02860**

**1. REVIEW AND ACCEPTANCE OF THE MINUTES OF THE
SEPTEMBER 11, 2008 BOARD HEARING.**

The minutes have been reviewed and accepted by the Board.

**2. ANTHONY'S AUTO SALES, INC. (Anthony Ferranti, Pres.)
FIRST APPLICATION – CASE # KR-08-238
TO DEAL IN NEW MOTORCYCLES: BIG BEAR CHOPPERS, UNITED
MOTORS & NUP/XTREME MOTOR COMPANY MOTORCYCLES.
AT: 539 KILLINGLY STREET, JOHNSTON, RI 02919.**

**Decision: The Board has approved the application subject to a
notarized lease agreement and a notarized financial statement being
submitted to the Dealers' License and Regulations Office. The
application must be finalized within 30 days.**

Three (3) motorcycles plates have been granted.

HEARING RESULTS

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3. HURD CHEVROLET, INC. (Chris Hurd, Pres.)

FRANCHISE ADDITION. – CASE # KR-08-233

EUROSPEED USA, INC. SCOOTERS

Decision: The Board has approved the franchise addition and has granted three (3) motorcycle plates.

4. FRENCHTOWN AUTO SALES (William F. McDonough, Owner)

TRANSFER APPLICATION – CASE #KR-08-234

FROM: 171 FRENCHTOWN ROAD, NORTH KINGSTOWN RI 02852

TO: 3662 QUAKER LANE, NORTH KINGSTOWN, RI 02852.

Decision: The Board has approved the transfer subject to finalization within 30 days.

5. DOMENIC GIORDANO V. ATLANTIC AUTOCENTER, INC. (Charles

Russo, Member / Stephen R. Ucci, Esq.)

COMPLAINT / SHOW CAUSE HEARING – CASE # DS-08-071

FIRST RESCHEDULED HEARING.

Continued at the request of Stephen R. Ucci, Esq., lawyer for Atlantic Autocenter

Inc., to allow him to request a title from Massachusetts to enable complainant to register the vehicle. The Board approved the continuation subject to the dealership obtaining all documents relating to the subject vehicle and forwarding them to the Dealers' License and Regulations Office within one week of this hearing for review prior to a new hearing. The Board has also requested that the North Providence Police be notified of the unregistered vehicle being stored at 1528 Mineral Spring Avenue, North Providence, RI which had been previously driven without insurance and registration.

6. MELBA RODRIGUEZ V. ATLANTIC AUTOCENTER, INC.

(Charles Russo, Member / Stephen R. Ucci, Esq.)

COMPLAINT / SHOW CAUSE HEARING – CASE # KR-08-118

FIRST RESCHEDULED HEARING.

Continued at the request of the Board, to allow the dealership to supply any and all documents relating to this transaction within one week of this hearing to the Dealers' License and Regulations Office

for review. This case will be heard again on October 23, 2008. The dealership has also been ordered to supply copies of all transactions for Atlantic Autocenter, Inc. for the last calendar year to the Dealers' License and Regulations Office within one week of the hearing.

HEARING RESULTS

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7. ROBERT ANDREWS V. METRO HONDA (Michael Grieco, Pres.) COMPLAINT/ SHOW CAUSE HEARING – CASE # KR-08-178

Decision: Complaint has been denied. No violations found to be attributed to the dealership.

8. DEALERS' LICENSE & REGULATIONS OFFICE V. COTOIA

BROTHERS AUTO SALES (Robert Cotoia, Owner)

SHOW CAUSE HEARING – CASE # DS-08-133

Decision: The Board has found Cotoia Brothers are in violation of the following RI General Laws and is required to pay the amount below which total \$50.00, within 30 days of receipt of the formal decision from the Dealers' License and Regulation Office.

Fine: \$50.00 RIGL 31-38-1 (b), selling a vehicle without an inspection sticker and failing to indicate on the bill of sale the vehicle was sold for parts only.

9. DEBRA J. CHONOIRE V. GLOBAL AUTO SALES (Mark Tantimonaco, Owner)

COMPLAINT / SHOW CAUSE HEARING – CASE # DS-08-133

Decision: The Board has dismissed this complaint without prejudice.

10. CATHERINE A. LOWNEY/ F. Monroe Allen, Esq. V. RASTELLI TRUCK & AUTO SALES (Paul Angelone, Owner)

BOND ACTION - CASE # DS-08-122

COMPLAINT WAS SETTLED

Complaint has been resolved prior to this hearing.

Walter Craddock, Esq. Chairman

Cc: Sara R. Strachan, Administrator, DMV

John DiTomasso, Assistant Administrator, DMV

Joseph I. Monteiro, Chief Enforcement/Regulations, DMV

Marcy Coleman, Esq., Division of Legal Services, DOA

File